

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(86) 276 final

Brussels, 6 May 1986

## COMMUNITY ACTION TO BE TAKEN IN RESPONSE TO THE CHERNOBYL ACCIDENT

(Communication by the Commission to the Council)

COM(86) 276 final

Com 976

EXPLANATORY MEMORANDUM

In view of the accident which has occurred at the Chernobyl nuclear power station and the resulting radioactive fallout, it appears essential that the Community should take appropriate action with regard to imports from non-member countries. The level of fallout radioactivity in the area immediately surrounding the power station and in certain neighbouring countries is likely to be such that it may be dangerous to consume certain agricultural products such as meat, fresh milk and milk products and freshwater fish. Certain Member States have already taken action on this matter. Common measures to deal with the situation should immediately be adopted as a matter of urgency in order to preserve the unity of the common market, to prevent any deflection of trade within the Community and to ensure consumer safety.

For these purposes the Commission is forwarding to the Council a proposal for a Regulation covering most of the abovementioned products. The Commission will itself adopt a measure relating to live animals and meat, on the basis of the powers conferred on it. It is also forwarding to the Council, for information, the Recommendation which it is today addressing to the Member States in order to achieve better coordination of the national measures which are being adopted on the Community market.

PROPOSAL FOR COUNCIL REGULATION (EEC) No 86 ON THE SUSPENSION OF  
IMPORTS OF CERTAIN AGRICULTURAL PRODUCTS ORIGINATING IN CERTAIN THIRD COUNTRIES

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THE COUNCIL OF THE EUROPEAN COMMUNITITES,

Having regard to the Treaty establishing the European Economic Community, and  
in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the  
common organization of the market in milk and milk products<sup>1</sup>, and in particular  
the first subparagraph of Article 19(2) thereof,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common  
organization of the market in fruit and vegetables<sup>2</sup>, and in particular the first  
subparagraph of Article 22(1) thereof,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981  
on the common organization of the market in fishery products<sup>3</sup>, and in particular the  
first subparagraph of Article 19(3) thereof,

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<sup>1</sup> OJ No L 148, 28.6.1968, p. 13.

<sup>2</sup> OJ No L 118, 20.5.1972, p. 1.

<sup>3</sup> OJ No L 379, 31.12.1981, p. 1.

Whereas, following the accident at the Chernobyl nuclear power plant and the release into the atmosphere of radioactive material, fallout from which has been detected in Europe, some Member States have taken steps to prohibit or control imports from third countries in the contaminated area;

Whereas it is incumbent on the Community to ensure that common measures are taken to preserve the unity of the common market and prevent deflections of trade within the Community, while at the same time ensuring consumer safety;

Whereas imports of certain agricultural products originating in third countries which have been contaminated by radioactive fallout should therefore be suspended on a temporary basis, account being taken of the gravity of the situation according to the geographical location of those countries;

Whereas a decision to maintain or lift the suspension of imports should be taken in the light of information which becomes available concerning the levels of radioactivity on land and in water in the third countries concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Imports of the products listed in the Annex originating in Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the Soviet Union are hereby suspended.

Article 2

The suspension of imports provided for in Article 1 shall also apply to the products referred to therein for which an import licence, whether or not it provides for advance fixing of the levy, is presented.

Article 3

Detailed rules for the application of this Regulation and additions to or deletions from the list of products contained in the Annex or the list of countries contained in Article 1 shall be adopted in accordance with the procedure laid down in Article 26 of Council Regulation (EEC) No 2727/75 or the corresponding articles of the other regulations establishing common organizations of the markets in agricultural products as appropriate.

Article 4

This Regulation shall enter into force on the day of its publication in the Official Journal of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at

For the Council

ANNEXList of products referred to in Article 1

	<u>CCT Heading No</u>
- Live sheep and goats	01.04
- Freshwater fish and fish roes	03.01 A
- Fresh milk and milk products	04.01
- Fresh vegetables (including potatoes)	07
- Fresh fruit	08

COMMISSION  
OF THE  
EUROPEAN COMMUNITIES

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COMMISSION RECOMMENDATION  
of  
addressed to the Member States concerning the  
coordination of national measures taken in  
respect of agricultural products as a result of  
radioactive fallout from the Soviet Union

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COMMISSION RECOMMENDATION

addressed to the Member States concerning the coordination of national measures taken in respect of agricultural products as a result of radioactive fallout from the Soviet Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 155 thereof,

Whereas, following the accident at the nuclear power plant at Chernobyl in the Soviet Union, radioactive elements were dispersed in the atmosphere and fallout was recorded in the Community;

Whereas, out of a legitimate concern to protect the health of consumers, Member States have adopted national measures to restrict or prohibit the marketing of certain agricultural products;

Whereas, as regards relations with the third countries affected, the Commission has presented the Council with a proposal to suspend imports of agricultural products which are liable to be contaminated and, in the case of meat, will take the necessary measures to that end;

Whereas it is therefore necessary to coordinate the measures taken by the Member States as regards marketing on their own market, recommending them to observe strict limits applicable to the most sensitive products and to apply to the products which they export the same rules and controls as those applied in the case of marketing on their national market;

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Whereas the assurance thus given by the exporting Member State should enable the importing Member State to waive any other requirement on import and in particular any additional certificate, it being understood that no Member State will apply to products originating in another Member State stricter measures than those which it applies in respect of its own market,

HEREBY RECOMMENDS MEMBER STATES:

1. to ensure that the following maximum tolerances are observed in respect of marketing on their own market:

From	Maximum activity (Bq/kg)	
	Milk and milk products	Fruit and vegetables
6 May 1986	500	350
16 May 1986	250	175
26 May 1986	125	90

2. to subject products they export to the same limits and, generally speaking, to the same controls regarding radioactivity as those applying to their own market;
3. to recognize controls thus performed by the exporting Member State, doing away with any other requirements on import in this connection, in particular any additional certificates;
4. to inform the other Member States and the Commission without delay of the action taken in response to this Recommendation.

Done at Brussels,

For the Commission